CLAIM STATUS

Claims 1-25 are pending. Claims 1-25 are rejected.

Claims 15 and 22 are rejected under 35 U.S.C. §101 as directed to non-statutory subject matter. Claims 16-21 and 23-25 are rejected as being dependent upon the rejected independent base claims.

Claims 1-25 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,557,076 to Daugherty et al. ("Daugherty").

Claim 6 is rejected under 35 U.S.C. §103(a) as being unpatentable over Daugherty in view of U.S. Patent No. 5,890,171 to Blumer et al. ("Blumer"). Claims 8-25 incorporate all of the limitations of claims 1-7. The rejections of claims 1-7 applies to claims 8-25.

REMARKS

In the August 22, 2007 Office Action, the Examiner objected to informalities in the specification, requesting an updated description for pending applications referenced in the specification and removal of the embedded hyperlink. Applicants have updated the information for the pending applications and request that the objection to the specification be withdrawn. With regard to the objection to the disclosure for containing an "embedded hyperlink and/or other form of browser-executable code," Applicants respectfully submit that the cited MPEP provision prohibits incorporation by reference by hyperlink or other form of browser executable code. *See*, MPEP § 608.01(VII)("Examiners must review patent applications to make certain that hyperlinks and other forms of browser-executable code, especially commercial site URLs, are not included in a patent application. 37 CFR 1.57(d) states that an incorporation by reference by hyperlink or other form of browser executable code is not permitted.") (emphasis added). Attorney for Applicants is unable to identify any hyperlink in the specification incorporating any subject matter by reference. Accordingly, Applicants respectfully request that the objections to the specification be withdrawn.

Claim 15 has been amended in accordance with Examiner's suggestion and, therefore, it is respectfully submitted that the rejections of claims 15-21 under 35 U.S.C. §101 have been overcome. Claims 22-25 have been canceled in this Response.

With regard to the rejection of independent claims 1, 8 and 15 under 35 U.S.C. §102(e) as being anticipated by Daugherty, Applicants respectfully submit that Daugherty fails to disclose

all of the limitations recited in these claims. In particular, Examiner states that column 2, lines 11-15, column 6, lines 39-52, and column 9, lines 1-10 of Daugherty disclose that "the message header indicates that the message body includes a linking element to a next-level fragment." For convenience, the cited portions of Daugherty are set forth below:

> High performance is obtained in part by caching commonly used page fragments, which may be assembled in different ways depending on the key. (col. 2, lines 11-15)

> If a particular clip requested by the ISAPI 106 is not in the first-level cache 110, the cache 110 requests the clip from the second server 104. The second server 104 therefore populates the first-level cache with any of the clips not yet stored at the first-level cache. The second server 104 includes a second-level cache 112, a third-level provider interface 114, as well as one or more provider objects, such as a generic object 116, a stock object 118, and a weather object 120. The second-level cache 112 stores the clips from which the second server 104 is to populate the first-level cache 110 of the first server 102. The cache 112 provides a service that responds to requests from the server 102 when clips are requested that are not in the first-level cache 110. The cache 112 then returns clips. (col. 6, lines 39-52)

> The stock object 118 in one embodiment directly retrieves information from a financial information server, maintains an internal cache of at least some requested stock and securities data, and uses HTML files and data merging to produce HTML sub-clips for an individual stock quote. The XML file describes how then to assemble a provider header, a body of one or more stock sub-clips, and a provider footer, to maximize the cacheability of the stock data, given the large number of permutations that may be found in user stock lists. (col. 9, 1-10)

Applicants submit that the cited portion of Daugherty fails to disclose that a "message header indicates that the message body includes a linking element to a next-level fragment." Applicants submit, therefore, that Daugherty fails to teach all of the limitations recited in independent claims 1, 8 and 15 and requests that the rejection of these claims under 35 U.S.C. §102(e) be removed.

In view of the foregoing, Applicants respectfully submit that independent claims 1, 8, and 15, and all claims dependent on these independent claims, are allowable over the art of record.

CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the examiner is requested to telephone the undersigned at 512-338-9100.

FILED ELECTRONICALLY
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Respectfully submitted,

/Gary W. Hamilton/

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